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On: May 9, 2007

By: Ann Massey
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Attorney Docket No: 0201us622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Torben Halkier *et al.*

Application No: 10/756,813

Filed: January 12, 2004

For: A METHOD FOR PREPARING
MODIFIED POLYPEPTIDES

Examiner: Wessendorf, Teresa D.

Art Unit: 1639

**RESPONSE TO COMMUNICATION
AND RESTRICTION
REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail-Stop: Amendment

Dear Madam:

In response to the Office Communication dated November 16, 2006, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

Restriction/Election and Species Election.

Claims 1-24 are presently pending. In the Office Action dated April 21, 2006, the Examiner restricted the claims under 35 U.S.C. § 121, requiring Applicants to elect one of the following claim groups for prosecution in the present application:

I. Claims 1-13, drawn to a method for producing a polypeptide comprising selecting a region of nucleotide sequence, classified in class 435, subclass 6;

II. Claims 14-22, drawn to a method for producing a polypeptide comprising glycosylating a peptide, classified in class 435, subclass 7.1; and

III. Claims 23-24, drawn to a method for altering immunogenicity of a polypeptide comprising using a helper molecule for blocking a functional site of a variant polypeptide, classified in class 435, subclass 4+.

Office Action, page 2.

With the election of Group I, Applicants were further required to elect a single species from the following species (one species from each of the subgroups A, B, etc.):

A. Computer programs recited in claim 3, e.g., Modeller, WHAT IF, and other programs recited therein;

B. Kind of diversification as recited in claim 4, e.g., DNA shuffling or random mutagenesis, etc.;

C. Kind of cell as recited in claim 9, e.g., bacterial, fungal or plant, etc.; and

D. Non-polypeptide moiety as recited in claim 10.

Id., page 3.

With the election of Group II or III, Applicants were further required to elect a single species from:

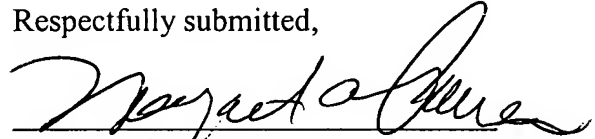
A. Kind of diversification as recited in Group I, B above.

Applicants responded to the Restriction Requirement on August 17, 2006, electing Claim Group I, but inadvertently neglecting to select the required species. Applicants thank the Examiner for noting this inadvertent error in her Communication dated November 16, 2006. Applicants elect the invention of Group I (claims 1-13) and further elect the computer program "WHAT IF" from subgroup A, localized mutagenesis from subgroup B, mammalian cell from subgroup C, and polymer molecule from subgroup D.

If there are any questions concerning this paper, or the application in general, the Examiner is invited to telephone the undersigned at (650) 298-5809 at her earliest convenience.

Respectfully submitted,

By:



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Dated: May 9, 2007
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